

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 04/24/2023

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JOSHUA SMITH and CAMERON NILES, *individually*  
*and on behalf of others similarly situated,*

Plaintiffs,

-v-

PERGOLA 36 LLC,

Defendant.  
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22-cv-4052 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The Court has been informed that the parties have reached a settlement in principle in this case. Accordingly, it is hereby ORDERED that this action is DISMISSED without costs and without prejudice to restoring the action to the Court's calendar, provided the application to restore the action is made within thirty (30) days of this Order. Any application to reopen filed after thirty (30) days from the date of this Order may be denied solely on that basis. Any pending motions are DISMISSED as moot, and all conferences and deadlines are CANCELLED.

SO ORDERED.

Dated: April 24, 2023  
New York, New York



LEWIS J. LIMAN  
United States District Judge